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Docket No.: 050108-0034

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of	:	Customer Number: 20277
Richard J. LYNCH, et al.	:	Confirmation Number: 9466
Application No.: 09/716,304	:	Group Art Unit: 2665
Filed: November 21, 2000	:	Allowed: May 03, 2005
	:	Examiner: T. D. Tran
For: SYSTEM AND METHODOLOGY FOR AUTOMATICALLY SETTING A CLOCK	:	

**COMMENTS RESPONSIVE TO STATEMENT OF  
REASONS FOR ALLOWANCE  
UNDER 37 C.F.R. § 1.104(e)**

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The May 3, 2005 Notice of Allowability regarding the above-identified application included a Statement of Reasons for Allowance. Entry of that Statement into the record should not be construed as any agreement with or acquiescence by Applicants in the stated reasoning.

The Statement attempts to paraphrase portions of independent claim 1, and the Statement asserts that the paraphrased elements are not suggested by the prior art. The paraphrasing, however, does not accurately track the wording of the independent claim. For example, the Statement refers to a system "comprising: a mobile station ... configured for a resettable clock..." Contrary to the statement, claim 1 recites a system that **comprises** two elements, a mobile station **and** a resettable clock. The mobile station

is configured to perform certain functions, and the processor of the clock is configured to perform other stated functions.

The language of the independent claim is clear and concise and is already in the record. Repeating the claim language in a Statement of Reasons for Allowance adds nothing substantive to the record, and paraphrasing the language as in the May 3, 2005 Statement can add confusion when as here the paraphrasing does not accurately reflect the claim language. In this case, Applicants' positions on patentability are already of record in the various responses to art rejections. A further explanation of reasons for allowance should be unnecessary.

It is therefore submitted that the allowed claims should be entitled to the broadest reasonable interpretation and to the broadest range of equivalents that are appropriate in light of the language of the claims, the supporting disclosure and Applicants' prosecution of the claims, without reference to the Statement of Reasons for Allowance.

To the extent necessary, if any, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



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**Date: July 29, 2005**